

By: Representative Turner

To: Apportionment and  
Elections; State Affairs

HOUSE BILL NO. 1180

1 AN ACT TO AMEND SECTION 83-1-3, MISSISSIPPI CODE OF 1972, TO  
2 PROVIDE THAT THE COMMISSIONER OF INSURANCE SHALL BE APPOINTED BY  
3 THE GOVERNOR, WITH THE ADVICE AND CONSENT OF THE SENATE; TO  
4 PROVIDE THE TERM OF OFFICE AND THE QUALIFICATIONS OF THE POSITION;  
5 TO AMEND SECTION 83-1-7, MISSISSIPPI CODE OF 1972, TO REMOVE THE  
6 REQUIREMENT THAT THE GOVERNOR APPROVE THE APPOINTMENT OF A CHIEF  
7 DEPUTY COMMISSIONER BY THE COMMISSIONER OF INSURANCE; TO AMEND  
8 SECTIONS 23-15-193, 23-15-297, 23-15-333, 23-15-367 AND 23-15-603,  
9 MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

11 **SECTION 1.** Section 83-1-3, Mississippi Code of 1972, is  
12 amended as follows:

13 83-1-3. (1) The chief officer of the department shall be  
14 \* \* \* the Commissioner of Insurance, who shall be \* \* \* appointed  
15 by the Governor, with the advice and consent of the Senate.

16 (2) Beginning July 1, 2025, the Office of Commissioner of  
17 Insurance shall be an appointed position; however, no person shall  
18 be appointed to the position until the term of the present elected  
19 Commissioner of Insurance ends or the office is vacated, whichever  
20 comes first. Each term of appointment shall be for a period of

21 six (6) years, except that in the case of a vacancy, the  
22 appointment shall be made to fill the unexpired term.

23 (3) The Commissioner of Insurance shall be a resident of the  
24 State of Mississippi, at least thirty (30) years of age, shall  
25 have at least a bachelor's degree from an accredited college or  
26 university, and shall be selected with special reference to his or  
27 her training, experience, technical knowledge of the insurance  
28 industry and risk management, and demonstrated administrative and  
29 management ability.

30 (4) No person shall be Commissioner of Insurance who is in  
31 any way connected with the management or control of any company,  
32 corporation, association, or order affected by this title, and his  
33 term of office shall immediately cease if at any time he shall  
34 become so interested. Furthermore, the Commissioner of Insurance  
35 shall not be a candidate for, nor hold, any other public office of  
36 trust. If he or she becomes a candidate for public office, his or  
37 her office as commissioner shall be immediately vacated.

38 (5) Before entering on the discharge of his duties, the  
39 Commissioner of Insurance shall take and subscribe to the oath of  
40 office \* \* \* prescribed by the Constitution and give an  
41 executive \* \* \* bond \* \* \* in the penal sum of Twenty-five  
42 Thousand Dollars (\$25,000.00) in some company or companies duly  
43 authorized to transact business in this state, to be approved by  
44 the Governor and conditioned for the faithful and impartial  
45 performance of the duties of said office during his term, which

46 bond and oath of office shall be filed with the Secretary of  
47 State.

48 **SECTION 2.** Section 83-1-7, Mississippi Code of 1972, is  
49 amended as follows:

50 83-1-7. The commissioner shall have authority to  
51 appoint \* \* \* a chief deputy commissioner, who shall have power,  
52 during his absence or inability to act from any cause, to perform  
53 any and all of the duties of the commissioner. Said deputy shall  
54 be \* \* \* subject to the same requirements, restrictions, and  
55 qualifications as the commissioner, excepting that the bond of the  
56 deputy shall be in the penal sum of Ten Thousand Dollars  
57 (\$10,000.00), conditioned and approved in the same manner as the  
58 bond of the commissioner.

59 **SECTION 3.** Section 23-15-193, Mississippi Code of 1972, is  
60 amended as follows:

61 \* \* \*

62 **[From July 1, 2025, until January 1, 2027, this section shall**  
63 **read as follows:]**

64 23-15-193. (1) At the election in 2023 \* \* \*, there shall  
65 be elected a Governor, Lieutenant Governor, Secretary of State,  
66 Auditor of Public Accounts, State Treasurer, Attorney General,  
67 three (3) public service commissioners, three (3) Mississippi  
68 Transportation Commissioners, Commissioner of Insurance,  
69 Commissioner of Agriculture and Commerce, Senators and members of  
70 the House of Representatives in the Legislature, district

71 attorneys for the several districts, clerks of the circuit and  
72 chancery courts of the several counties, as well as sheriffs,  
73 coroners, assessors, surveyors and members of the boards of  
74 supervisors, justice court judges and constables, and all other  
75 officers to be elected by the people at the general state  
76 election. All such officers shall hold their offices for a term  
77 of four (4) years, and until their successors are elected and  
78 qualified. The state officers shall be elected in the manner  
79 prescribed in Section 140 of the Constitution.

80 (2) The state officers that receive a majority of votes cast  
81 for the office at the general election shall be elected. If no  
82 candidate receives a majority number of votes cast at the  
83 election, then the two (2) candidates who receive the highest  
84 number of votes cast shall have their names placed on the ballot  
85 for the runoff election to be held four (4) weeks later. The  
86 candidate who receives a majority of the votes cast in the runoff  
87 election shall be elected. However, if no candidate receives a  
88 majority vote cast at the election, and there is a tie in the  
89 election of those receiving the next highest vote, then those  
90 candidates receiving the next highest vote and the candidate  
91 receiving the highest number of votes cast shall have their names  
92 placed on the ballot for the runoff election to be held four (4)  
93 weeks later, and whoever receives the majority of votes cast in  
94 the runoff election shall be elected. If it appears that two (2)  
95 or more candidates for state office have an equal number of votes

96 after the runoff election, the interested candidates shall appear  
97 before the Chief Justice of the Mississippi Supreme Court within  
98 two (2) days after the canvass and the tie shall be determined by  
99 a toss of a coin or by lot fairly and publicly drawn, and a  
100 certificate of election shall be given accordingly.

101 (3) The provisions of Section 23-15-981 shall control the  
102 run-off elections of justice court judges.

103 **[From and after January 1, 2027, this section shall read as**  
104 **follows:]**

105 23-15-193. (1) At the election in 2027, and every four (4)  
106 years thereafter, there shall be elected a Governor, Lieutenant  
107 Governor, Secretary of State, Auditor of Public Accounts, State  
108 Treasurer, Attorney General, three (3) public service  
109 commissioners, three (3) Mississippi Transportation Commissioners,  
110 Commissioner of Agriculture and Commerce, Senators and members of  
111 the House of Representatives in the Legislature, district  
112 attorneys for the several districts, clerks of the circuit and  
113 chancery courts of the several counties, as well as sheriffs,  
114 coroners, assessors, surveyors and members of the boards of  
115 supervisors, justice court judges and constables, and all other  
116 officers to be elected by the people at the general state  
117 election. All such officers shall hold their offices for a term  
118 of four (4) years, and until their successors are elected and  
119 qualified. The state officers shall be elected in the manner  
120 prescribed in Section 140 of the Constitution.

121       (2) The state officers that receive a majority of votes cast  
122 for the office at the general election shall be elected. If no  
123 candidate receives a majority number of votes cast at the  
124 election, then the two (2) candidates who receive the highest  
125 number of votes cast shall have their names placed on the ballot  
126 for the runoff election to be held four (4) weeks later. The  
127 candidate who receives a majority of the votes cast in the runoff  
128 election shall be elected. However, if no candidate receives a  
129 majority vote cast at the election, and there is a tie in the  
130 election of those receiving the next highest vote, then those  
131 candidates receiving the next highest vote and the candidate  
132 receiving the highest number of votes cast shall have their names  
133 placed on the ballot for the runoff election to be held four (4)  
134 weeks later, and whoever receives the majority of votes cast in  
135 the runoff election shall be elected. If it appears that two (2)  
136 or more candidates for state office have an equal number of votes  
137 after the runoff election, the interested candidates shall appear  
138 before the Chief Justice of the Mississippi Supreme Court within  
139 two (2) days after the canvass and the tie shall be determined by  
140 a toss of a coin or by lot fairly and publicly drawn, and a  
141 certificate of election shall be given accordingly.

142       (3) The provisions of Section 23-15-981 shall control the  
143 runoff elections of justice court judges.

144       **SECTION 4.** Section 23-15-297, Mississippi Code of 1972, is  
145 amended as follows:

146           23-15-297. (1) All candidates, upon entering the race for  
147 party nominations for office, shall first pay to the proper  
148 officer as provided for in Section 23-15-299 for each primary  
149 election the following amounts:

150           (a) Candidates for Governor, the amount determined by  
151 the state executive committee of the party pursuant to subsection  
152 (2) of this section but no less than One Thousand Dollars  
153 (\$1,000.00) and no more than Five Thousand Dollars (\$5,000.00).

154           (b) Candidates for Lieutenant Governor, Attorney  
155 General, Secretary of State, State Treasurer, Auditor of Public  
156 Accounts, \* \* \* Commissioner of Agriculture and Commerce, State  
157 Highway Commissioner and State Public Service Commissioner, the  
158 amount determined by the state executive committee of the party  
159 pursuant to subsection (2) of this section but no less than Five  
160 Hundred Dollars (\$500.00) and no more than Two Thousand Five  
161 Hundred Dollars (\$2,500.00).

162           (c) Candidates for State Senator and State  
163 Representative, Two Hundred Fifty Dollars (\$250.00).

164           (d) Candidates for district attorney, Two Hundred Fifty  
165 Dollars (\$250.00).

166           (e) Candidates for sheriff, chancery clerk, circuit  
167 clerk, tax assessor, tax collector, county attorney, county  
168 superintendent of education and board of supervisors, One Hundred  
169 Dollars (\$100.00).

170 (f) Candidates for county surveyor, county coroner and  
171 constable, One Hundred Dollars (\$100.00).

172 (g) Candidates for United States Senator, the amount  
173 determined by the state executive committee of the party pursuant  
174 to subsection (2) of this section but no less than One Thousand  
175 Dollars (\$1,000.00) and no more than Five Thousand Dollars  
176 (\$5,000.00).

177 (h) Candidates for United States Representative, the  
178 amount determined by the state executive committee of the party  
179 pursuant to subsection (2) of this section but no less than Five  
180 Hundred Dollars (\$500.00) and no more than Two Thousand Five  
181 Hundred Dollars (\$2,500.00).

182 (2) (a) The state executive committee of a political party  
183 shall set the entry fee that a candidate is to pay upon entering  
184 the race for party nominations for the offices listed in  
185 paragraphs (a), (b), (g) and (h) of subsection (1) of this section  
186 and Section 23-15-1093(2) (a). The authority granted under this  
187 subsection shall not be exercised by any state executive committee  
188 of a political party for any individual office more than once  
189 every two (2) years, beginning July 1, 2022.

190 (b) Each state executive committee of a political party  
191 shall report the entry fee determined for each office to the  
192 Secretary of State by October 1 of the year before the election is  
193 held for that office. If a state executive committee does not  
194 meet the deadline in this paragraph for any office, the minimum



195 entry fee shall be assessed for the office in that party's primary  
196 election during that election cycle.

197 (3) All independent candidates and special election  
198 candidates entering the race for office shall pay to the proper  
199 officer as provided for in Section 23-15-299 the following  
200 amounts:

201 (a) Candidates for Governor, One Thousand Dollars  
202 (\$1,000.00).

203 (b) Candidates for Lieutenant Governor, Attorney  
204 General, Secretary of State, State Treasurer, Auditor of Public  
205 Accounts, \* \* \* Commissioner of Agriculture and Commerce, State  
206 Highway Commissioner and State Public Service Commissioner, Five  
207 Hundred Dollars (\$500.00).

208 (c) Candidates for district attorney, State Senator and  
209 State Representative, Two Hundred Fifty Dollars (\$250.00).

210 (d) Candidates for sheriff, chancery clerk, circuit  
211 clerk, tax assessor, tax collector, county attorney, county  
212 superintendent of education and board of supervisors, One Hundred  
213 Dollars (\$100.00).

214 (e) Candidates for county surveyor, county coroner and  
215 constable, One Hundred Dollars (\$100.00).

216 (f) Candidates for United States Senator, One Thousand  
217 Dollars (\$1,000.00).

218 (g) Candidates for United States Representative, Five  
219 Hundred Dollars (\$500.00).

220 (4) The Secretary of State shall publish the fees listed in  
221 this section and Section 23-15-1093 no later than forty-five (45)  
222 days before the qualifying period begins for each office.

223 **SECTION 5.** Section 23-15-333, Mississippi Code of 1972, is  
224 amended as follows:

225 23-15-333. (1) The county executive committee shall have  
226 printed all necessary ballots, for use in primary elections. The  
227 county executive committee shall have printed all necessary  
228 absentee ballots forty-five (45) days before the election as  
229 required by law. The ballots shall contain the names of all the  
230 candidates to be voted for at the election, and there shall be  
231 left on each ballot one (1) blank space under the title of each  
232 office for which a nominee is to be elected; and in the event of  
233 the death of any candidate whose name shall have been printed on  
234 the ballot, the name of the candidate duly substituted in the  
235 place of the deceased candidate may be written in such blank space  
236 by the voter. Except as otherwise provided in subsection (2) of  
237 this section, the order in which the titles to the various offices  
238 shall be printed, and the size, print and quality of the paper of  
239 the ballot is left to the discretion of the county executive  
240 committee. Provided, however, that in all cases the arrangement  
241 of the names of the candidates for each office shall be  
242 alphabetical. No ballot shall be used except those so printed.

243 (2) The titles for the various offices shall be listed in  
244 the following order:

245 (a) Candidates, electors or delegates for the following  
246 national offices:

247 (i) President of the United States of America;

248 (ii) United States Senator or United States  
249 Representative;

250 (b) Candidates for the following statewide offices:  
251 Governor, Lieutenant Governor, Secretary of State, Attorney  
252 General, State Treasurer, Auditor of Public Accounts, Commissioner  
253 of Agriculture and Commerce \* \* \*;

254 (c) Candidates for the following state district  
255 offices: Mississippi Transportation Commissioner, Public Service  
256 Commissioner, District Attorney;

257 (d) Candidates for the following legislative offices:  
258 Senator and House of Representatives;

259 (e) Candidates for countywide office;

260 (f) Candidates for county district office.

261 The order in which the titles for the various offices are  
262 listed within each of the categories listed in paragraphs (e) and  
263 (f) are left to the discretion of the county executive committee.  
264 Candidates' names shall be listed alphabetically under each office  
265 by the candidate's last name.

266 (3) If after the deadline to qualify as a candidate for an  
267 office, only one (1) person has duly qualified to be a candidate  
268 for the office in the primary election, the name of that person  
269 shall be placed on the ballot; provided, however, that if not more

270 than one (1) person has duly qualified to be a candidate for each  
271 office on the primary election ballot, the election for all  
272 offices on the ballot shall be dispensed with and the appropriate  
273 executive committee shall declare each candidate as the party  
274 nominee if the candidate meets all the qualifications to hold the  
275 office.

276 (4) (a) If it is eligible under Section 23-15-266, the  
277 county executive committee may enter into a written agreement with  
278 the circuit clerk or the county election commission authorizing  
279 the circuit clerk or the county election commission to perform any  
280 of the duties required of the county executive committee pursuant  
281 to this section. Any agreement entered into pursuant to this  
282 subsection shall be signed by the chair of the county executive  
283 committee and the circuit clerk or the chair of the county  
284 election commission, as appropriate. The county executive  
285 committee shall notify the state executive committee and the  
286 Secretary of State of the existence of such agreement.

287 (b) If it is eligible under Section 23-15-266, the  
288 municipal executive committee may enter into a written agreement  
289 with the municipal clerk or the municipal election commission  
290 authorizing the municipal clerk or the municipal election  
291 commission to perform any of the duties required of the municipal  
292 executive committee pursuant to this section. Any agreement  
293 entered into pursuant to this subsection shall be signed by the  
294 chair of the municipal executive committee and the municipal clerk

295 or the chair of the municipal election commission, as appropriate.  
296 The municipal executive committee shall notify the state executive  
297 committee and the Secretary of State of the existence of such  
298 agreement.

299 **SECTION 6.** Section 23-15-367, Mississippi Code of 1972, is  
300 amended as follows:

301 23-15-367. (1) Except as otherwise provided by Sections  
302 23-15-974 through 23-15-985 and subsection (2) of this section,  
303 the size, print and quality of paper of the official ballot is  
304 left to the discretion of the officer charged with printing the  
305 official ballot.

306 (2) The titles for the various offices shall be listed in  
307 the following order:

308 (a) Candidates, electors or delegates for the following  
309 national offices:

310 (i) President;

311 (ii) United States Senator or United States  
312 Representative;

313 (b) Candidates for the following statewide office:  
314 Governor, Lieutenant Governor, Secretary of State, Attorney  
315 General, State Treasurer, Auditor of Public Accounts, Commissioner  
316 of Agriculture and Commerce \* \* \*;

317 (c) Candidates for the following state district  
318 offices: Mississippi Transportation Commissioner, Public Service  
319 Commissioner, District Attorney;

320 (d) Candidates for the following legislative offices:

321 Senate and House of Representatives;

322 (e) Candidates for countywide office;

323 (f) Candidates for county district office.

324 The order in which the titles for the various offices are  
325 listed within paragraphs (e) and (f) is left to the discretion of  
326 the county election commissioners. Nominees of the political  
327 parties, qualified to conduct primary elections as defined in  
328 Section 23-15-291, shall be listed first alphabetically by the  
329 candidate's last name, followed by any other candidates listed  
330 alphabetically by last name.

331 (3) It is the duty of the Secretary of State, with the  
332 approval of the Governor, to furnish the designated election  
333 commissioner of each county a sample of the official ballot, not  
334 less than fifty-five (55) days before the election, the general  
335 form of which shall be followed as nearly as practicable.

336 **SECTION 7.** Section 23-15-603, Mississippi Code of 1972, is  
337 amended as follows:

338 23-15-603. (1) The election commissioners shall, within ten  
339 (10) days after the general election and within ten (10) days  
340 after a runoff election, if one is required, transmit to the  
341 Secretary of State, to be filed in his or her office, a statement  
342 of the whole number of votes given in their county and the whole  
343 number of votes given in each precinct in their county, for each  
344 candidate for any office at the election; but the returns of every

345 election for Governor, Lieutenant Governor, Secretary of State,  
346 Attorney General, Auditor of Public Accounts, State  
347 Treasurer, \* \* \* and other state officers, shall each be made out  
348 separately, sealed up together and transmitted to the seat of  
349 government, directed to the Secretary of State, and endorsed the  
350 "VOTE FOR STATE OFFICERS." In addition to the other information  
351 required pursuant to this subsection, the returns for state  
352 officers shall contain a statement of the whole number of votes  
353 given in each House of Representative district or portion thereof  
354 for each candidate for state office at the election.

355 (2) Constitutional amendments shall be voted for at the time  
356 fixed by the concurrent resolution. The election, whether held  
357 separately or with other elections, shall be conducted, in all  
358 respects, as required for elections generally. The election  
359 commissioners shall, within ten (10) days after the election,  
360 transmit to the Secretary of State a statement of the whole number  
361 of votes given in their county and the whole number of votes given  
362 in each precinct in their county for or against constitutional  
363 amendments.

364 (3) The statements certified by the election commissioners  
365 and transmitted to the Secretary of State, as required by this  
366 section, shall be tabulated by the Secretary of State. Certified  
367 county vote totals shall represent the final results of the  
368 election.

369 (4) The statements required by this section shall contain a  
370 certification, signed and dated by a majority of the election  
371 commissioners, which shall read as follows:

372 "We, the undersigned election commissioners, do  
373 hereby certify that this statement of the whole number  
374 of votes contains the official vote for the election  
375 reflected therein."

376 (5) The statements required by this section shall be  
377 transmitted to the Secretary of State on such forms and by such  
378 methods as may be required by rules and regulations promulgated by  
379 the Secretary of State.

380 **SECTION 8.** This act shall take effect and be in force from  
381 and after July 1, 2025.